

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**DEBBIE TAYLOR, as administrator
of the Estate of Gail Marie Legate,
deceased,**

Plaintiff,

v.

**GRANITE NURSING and
REHABILITATION CENTER, LLC,**

Defendant.

No. 17-1020-DRH

MEMORANDUM and ORDER

HERNDON, District Judge:

This matter comes before the Court for case management. A review of the complaint indicates that Taylor does not properly plead citizenship as to defendant Granite Nursing and Rehabilitation Center, LLC. Complete diversity means that “none of the parties on either side of the litigation may be a citizen of the state of which a party on the other side is a citizen.” *Howell v. Tribune Entertainment Co.*, 106 F.3d 215, 217 (7th Cir. 1997). “The citizenship for diversity purposes of a limited liability company, however, despite the resemblance of such a company to a corporation (the hallmark of both being limited liability), is the citizenship of each of its members.” *Wise v. Wachovia Securities, LLC*, 450 F.3d 265, 267 (7th Cir. 2006)(collecting cases); *see also Commonwealth Ins. Co. v. Titan Tire*

Corp., 398 F.3d 879, 881 n. 1 (7th Cir. 2004)(citing *Belleville Catering Co. v. Champaign Market Place, LLC.*, 250 F.3d 691, 692 (7th Cir. 2003)). In determining the existence of diversity jurisdiction, courts look to the citizenship of all partners or investors in a partnership or limited liability company. *Lear Corporation v. Johnson Electric Holdings Limited*, 353 F.3d 580, 582 (7th Cir. 2003).

Here, the allegations regarding Granite Nursing and Rehabilitation Center, LLC's citizenship are insufficient to confer diversity jurisdiction as the complaint alleges residency and not citizenship. Thus, the Court **ALLOWS** Taylor up to and including February 12, 2018 to file an amended complaint that comports with this Order.

IT IS SO ORDERED.

David Herndon



Judge Herndon

2018.01.22

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United States District Judge